

### **REMARKS/ARGUMENTS**

The above-identified patent application has been amended in accordance with the provisions of 37 CFR 1.116 and reconsideration and re-examination are hereby requested.

Applicant wished to make of record a telephone interview with Examiner Chin on April 25, 2006. During the interview claim 12 was discussed along with FIG. 2 of Krontz. No agreement was reached.

Claims 12, 13, 17 and 19-21 stand rejected under 36 USC 102(e) as being anticipated by US Pat. Pub. No. 2004/0003155A1 to Krontz.

Referring to claims 12 and 13, such claims point out that there is "circuitry connected to the plurality of conductors for converting the operating incapability indications provided by the plurality of printed circuit boards into logic signals for the plurality of printed circuit boards" (emphasis ours). Thus, the indication is provided for the other boards plugged into the backplane whereas with Krontz the signals from the slots are not provided "for" the other boards but rather for the slot speed detector which then communicates that information to a corresponding one of the slot speed indicators on board 202. In order to make this feature clearer, Applicant has amended to claim 12 to point out that "each one of such electrical contacts of the plurality of printed circuit boards being electrically connected together through a corresponding one of the plurality of conductors of the backplane " (emphasis ours). Thus, referring to FIG. 2 of Krontz, each one of the slots appears to be connected to the slot speed detector though a corresponding set of conductors to advise the speed detector of its speed. The slots do not appear to be connected together through the conductors in the sets thereof.

Referring to claim 17, such claim points out that the method includes interrupting start-up of the system upon detection of such operating incompatibility; and wherein the operating incompatibility is operating protocol. The Examiner refers to Step 504 of Krontz. It is first noted that in Step 502 the system has been booted. In Step 504 the system queries the slot speeds. It is respectfully submitted that Krontz does not describe "interrupting start-

up of the system upon detection of such operating incompatibility: and does not describe "wherein the operating incompatibility is operating protocol."

Referring to claims 19-21, the comments set forth for claim 12 apply to claims 19-21

Claims 1-6, 9 and 18 stand rejected under 35 USC 103(a) as being unpatentable over Krontz in view of US Pat Pub No. 2002/0099875 to Locklear. The examiner refers to paragraph [0002] of Locklear, stated below:

As the specifications for I/O busses have evolved, I/O busses support higher data transfer rates. In order to take advantage of the higher data transfer rates, both the I/O busses and the adapter cards must support the higher data transfer rates. However to support compatibility with older adapter cards that do not support the higher data transfer rates, an architected method exists whereby the I/O bus and the adapter card negotiate for the highest supported data transfer rate. Therefore to accommodate slower adapter cards, an I/O bus with multiple adapter card slots transfers data at a data transfer rate equal to the slowest adapter card on the I/O bus. If a user adds an adapter card to a bus already containing an adapter card and the adapter cards are of varying data transfer rates, then performance of the computer system suffers because the two adapter cards will not operate at each card's maximum data transfer rate but instead at the slower of the two maximum data transfer rates of the adapter cards. (emphasis ours)

Locklear provides no description of HOW to prove such an architected method. What is the method? How does one make and/or use the method? In short, Locklear has not described such method. Applicant provides a system wherein the compatibility/incompatibility of components on one board is communicated to another boards as pointed out by the subject matter in claims 1-6, 9 and 18. Thus, absent the requisite teaching of the architected method, it is respectfully submitted that the prior art taken either singly or in combination fails to teach the subject matter pointed out claims 1-6, 9 and 18.

Further, with regard to claims 1-6 and 9, as noted above in connection with claim 12, Krontz does not have each one of such electrical contacts of the first plurality of printed

circuit boards being electrically connected together through a corresponding one of the plurality of conductors of the backplane (emphasis ours).

Further, with regard to claim 18, such claim points out that there is an electrical circuit for electrically inhibiting the electrical coupling the electrical component on the additional printed circuit board from the electrical components of the plurality of printed circuit boards.

In the event a petition for extension of time is required by this paper and not otherwise provided, such petition is hereby made and authorization is provided herewith to charge deposit account No. 05-0889 for the cost of such extension.

In the event any additional fee is required, please charge such amount to Patent and Trademark Office Deposit Account No. 05-0889.

Respectfully submitted,

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Date

/richard sharkansky/  
Richard M. Sharkansky Reg. No. 25, 800  
Attorney for Applicant(s)  
P. O. Box 557  
Mashpee, MA 02649  
Telephone: (508) 477-4311  
Facsimile: (508) 477-7234